

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA

Plaintiff,

Vs.

ROBERTO FERRARIO-POZZI [6]

Defendant[s]

CASE #: 98-CR-189 (HL)

MOTION FOR LEAVE TO FILE A REPLY

TO THE HONORABLE COURT:

COMES NOW claimant Nelly Esperanza Bejerano, by and through the undersigned counsel, and pursuant to Local Rule 7.1; Fed.R.Crm.P. 32.2 and 21 U.S.C § 853 (N)(2) moves this court to permit a reply to the governments opposition.. In support the claimant states and prays as follows:

1. The claimant –Nelly Esperanza Bejerano- respectfully request leave to file a reply on the issue of whether 21 U.S.C. § 853(n)(2) has a prior claim to the property than the Government as a lawful unindicted spouse of the defendant.

2. Whether the claim of tenants by the entireties and community property prevails over the res forfeited.

Respectfully submitted,

In San Juan, Puerto Rico, this August 17, 2005

L. Lorenzo J. Palomares Starbuck

Lorenzo J. Palomares, Esq.

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CERTIFICATE OF SERVICE

I certify that on this day August 17, 2005 I filed a copy of the instant motion with the CM/EFC electronic filing system that will send a copy of the instant pleading to all counsel of record including Mr. Aramis Rios, Esq. AUSA counsel for the plaintiff.

L. Lorenzo J. Palomares Starbuck